

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DWIGHT HARGIS,

Plaintiff,

v.

Case No. 06-cv-862-JPG

AMERICAN OPTICAL CORPORATION,
FLEXO PRODUCTS, INC., MINE SAFETY
APPLIANCES COMPANY, and 3M
COMPANY, a/k/a, f/k/a MINNESOTA
MINING AND MANUFACTURING,

Defendants.

ORDER

GILBERT, District Judge:

This matter comes before the Court on the plaintiff's notice of dismissal of American Optical Corporation. (Doc. 52). Rule 41(a)(1)(i) provides that "an action may be dismissed by the plaintiff without order of court . . . by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs."

In this case, the plaintiff has submitted a notice of dismissal of American Optical Corporation without prejudice before American Optical Corporation has answered or filed a motion for summary judgment. Therefore, the plaintiff's notice of dismissal, by itself, has the effect of dismissing plaintiff's claims against American Optical Corporation without prejudice.

The Court **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of this case.

IT IS SO ORDERED.

DATED: April 11, 2007.

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE